

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
SUMIT GARG,  
  
Defendant.

CASE NO. CR21-0045-JCC  
  
ORDER

This matter comes before the Court on Defendant's motion to allow trial observation (Dkt. No. 355). Having thoroughly considered the parties' briefing and the relevant record, the Court finds oral argument unnecessary and hereby DENIES the motion for the reasons explained herein.

Defendant asks the Court to allow him to observe a trial in person. (Dkt. No. 355.) He argues there is no security risk in allowing him to attend a trial and that it would be a violation of his Due Process and Equal Protection rights to deprive him of the opportunity, because pretrial defendants not in detention could watch a trial if they wanted to. (*Id.* at 2–3.)

However, Defendant's reasons do not withstand scrutiny. First, as the Government notes, it would be necessary to have multiple marshals or Courtroom Security Officers watching over Defendant in court. (Dkt. No. 376 at 2.) And allowing Defendant to observe a trial by video presents similar logistical challenges, because it would interfere with other inmates' ability to

1 appear for their own court appearances on the single video teleconference unit at the FDC. (*Id.*)  
2 In addition, Defendant's Equal Protection argument fails on the merits, because he is not  
3 similarly situated to pretrial defendants who have been released on bond. Unlike those  
4 defendants, this Defendant has been deemed a danger and a flight risk, (*see* Dkt. No. 47), which  
5 requires pretrial detention. The limitations presented by Defendant's detention make it  
6 reasonable to deny his requests. And he has not shown that any of his rights are violated by being  
7 denied the opportunity to observe a trial in person.

8 For the foregoing reasons, Defendant's motion (Dkt. No. 355) is DENIED.

9 DATED this 20th day of April 2023.

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A handwritten signature in black ink, reading "John C. Coughenour", is written over a horizontal line.

John C. Coughenour  
UNITED STATES DISTRICT JUDGE